

**UNITED STATES DISTRICT COURT**  
*Eastern District of Washington*

John G. Diaz,

PLAINTIFF

v.

Benton County Jail, et al,

DEFENDANT'S

JUDGMENT IN A CIVIL CASE

CASE NUMBER: CV-08-5095-RHW

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED Plaintiff's Motion to Voluntarily Dismiss Complaint (Ct. Rec. 9) is GRANTED and the Complaint is DISMISSED WITHOUT PREJUDICE. Although granted the opportunity, Plaintiff did not file a separate Motion to waive the remaining balance of the filing fee as directed. Therefore, Plaintiff still is obliged to pay the full filing fee for this action pursuant to 28 U.S.C. § 1915(b).

April 14, 2009

Date

JAMES R. LARSEN

Clerk

s/ Vikki Johnson

(By) Deputy Clerk

Vikki Johnson